



Rep. Mike Fortner

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09900HB3240ham001

LRB099 10519 RJF 33061 a

1 AMENDMENT TO HOUSE BILL 3240

2 AMENDMENT NO. _____. Amend House Bill 3240 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Rivers, Lakes, and Streams Act is amended
5 by changing Section 26a as follows:

6 (615 ILCS 5/26a) (from Ch. 19, par. 74)

7 Sec. 26a. The Department of Natural Resources may issue
8 orders requiring all necessary remedial actions to correct
9 violations of this Act and impose the civil penalties provided
10 in this Section. All orders entered by the Department of
11 Natural Resources shall be made only upon giving reasonable
12 notice to persons to be affected by such orders; or having any
13 interest in the subject matter of such orders and after a
14 hearing in relation thereto. Any person who violates any
15 provision of this Act; any rule or regulation adopted by the
16 Department; any permit, term, or condition of this Act; or any

1 order of the Department under this Act, shall be liable for a
2 civil penalty of up to 2 times the applicable permit fee, but
3 not to exceed \$5,000 for a violation. The penalty fee may, upon
4 order of the Department of Natural Resources or a court of
5 competent jurisdiction, be made payable to the Department and
6 deposited into the State Boating Act Fund for use by the
7 Department for ordinary and contingent expenses ~~neglects,~~
8 ~~refuses or fails to obey any lawful order made by the~~
9 ~~Department of Natural Resources and to carry the same into~~
10 ~~effect in accordance with such order is liable for a fine of~~
11 ~~not less than \$100 nor more than \$1000 to be recovered in a~~
12 ~~civil action in the name of the People of the State of Illinois~~
13 ~~in any circuit court.~~

14 (Source: P.A. 89-445, eff. 2-7-96.)".